

STUDENT PRIVACY NOTICE 21/22

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Student Privacy Notice

The University of South Wales is the data controller and the University's Data Protection Officer can be contacted through dataprotection@southwales.ac.uk. The University is committed to protecting the rights of students in line with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Certain areas within the University have privacy notices in place relating to their collection and use of personal data – this would include, but is not limited to; the Sport Centre, Accommodation Services and AZO. Where this is the case, the privacy notice will be available at the point of collection.

What information do we collect?

The University collects information in relation to its students at various points through the student journey. Personal data is collected at the application stage, at enrolment and throughout the period of study to form the student record.

Type of personal data processed includes, though is not limited to, the following:

- Contact details and other information submitted during the application and enrolment processes.
- Details of courses, modules, timetables and room bookings, assessment marks and examinations.
- Financial and personal information collected for the purposes of administering: student funding, fees and charges, financial support schemes (scholarships, bursaries and hardship funds).
- Photographs, and video recordings for the purpose of recording lectures, student assessment and examinations.
- Information about an individual's engagement with the University such as attendance data, use of electronic services such as UniLearn (Blackboard), UniLife, library, Panopto, Office 365 and other university systems".
- When participating in an online lecture a recording of an individual's image and voice may be captured.
- Contact details for an emergency contact to be used in an emergency/where there are serious concerns regarding wellbeing (The University will assume that students have

confirmed with the next of kin on the use of their data prior to providing the University with their data).

- Details of those with looked after status or those who have left the care system - for the provision of support.
- Information related to the prevention and detection of crime and the safety and security of staff and students, including, but not limited to, CCTV recording and data relating to breaches of University regulations.
- Information relating to disciplinary or conduct issues.
- Information gathered for the purposes of equal opportunities monitoring.
- Information relating to the provision of advice, support and welfare, such as data relating to the use of the services offered by the Student Services, Learning Services and the Advice Zones.
- Information about an individual's use of our information and communication systems including IP address, log in details, network access, browser type and operating system.
- Attendance and engagement information.
- Information on access to rooms and buildings when the student ID card is used to open a locked room.
- Information processed via the Data Loss Prevention tools installed on our IT System.
- For international students: Copies of passports, visas, biometric data (previously used to record attendance), information collected in relation to attendance and any other documents required to ensure compliance with Home Office requirements.
- For students on certain courses such as healthcare, teaching, social worker courses records relating to suitability checks including DBS.
- Information collected for administration of trips, visits and events.
- Records relating to an individual's studies at the University or at another institution or partner when a placement is undertaken away from the University.
- The University collects information on Welsh language skills for the purpose of Welsh medium provision.
- Information relating to careers advice and work experience.
- For certain courses, such as nursing the University collects attendance records and timesheets.

Students studying at partner institutions in the UK or overseas, will usually enrol at the University of South Wales and at the partner institution. The partner institution will deliver the course and maintain a student record. The University, as the awarding body, will also keep some records as outlined in this privacy notice.

What information does the University receive from third parties?

The University works closely with third parties (including funding and sponsorship partners, educational institutions, examination boards, overseas agents, UCAS and clearing houses, business partners and compliance services such as UKVI and the Disclosure and Barring Service) and may receive information about individuals from them relating to their specialist areas.

How is data used and what legal basis is relied upon?

When students enrol the University will be required to collect, store, use and otherwise process data for any purposes connected with their studies, health and safety and for other reasons deemed necessary for the performance of the contract with the University. The University will also use personal data for certain limited purposes after graduation.

The University will use data fairly and lawfully in accordance with its obligations under the Data Protection Act 2018 and UK GDPR. This means that data will be processed in a way which respects the data protection principles and the individual rights.

Although it is not possible to state every purpose for which personal information will be used, the following are examples of how it is likely to be used together with the relevant legal basis relied upon (see * below for information on the relevant article).

- In order to enrol the student on the course, for course administration and to record academic achievement (for example – course choices, examinations and assessments) 6(1)(b), 6(1)(e)
- To assist in pastoral and welfare needs (e.g. the counselling service and services to students with disabilities) 6(1)(a), 6(1)(d), 9(2)(a), 9(2)(c), 9(2)(g).
- To carry out investigations in accordance with academic and misconduct regulations 6(1)(b), 9(2)(g).
- To operate security, disciplinary, complaint and quality assurance processes.
- To administer the financial aspects of student registration (such as payment of fees and debt collection) 6(1)(b), 6(1)(e).
- To fulfil any legal requirements, for example those conferred upon the University under the Prevent Strategy 6(1)(c), 6(1)(e), 9(2)(g).
- To administer support for employability needs 6(1)(e).

- Where eligible, to support and enable individuals to gain work experience through the Go Wales scheme (<https://www.gowales.co.uk/>) 6(1)(a),9(2)(a)
- To provide or offer facilities and services to students (e.g. library access, printing, computing, sports facilities, accommodation) 6(1)(b) 6(1)(e).
- To manage our estate, ensure health, safety and security of staff, security of our systems, students and visitors on campus 6(1)(f) 6(1)(d), 9(2)(c) and 9(2)(g).
- For insurance purposes e.g. where the University arranges provision for field trips or where claims are made 6(1)(b).
- To ensure the health and safety of students whilst registered at the University and to assess fitness to study, travel, take part in placements, provide appropriate reasonable adjustments and where requested, to make decisions relating to applications for mitigating circumstances 6(1)(e), 9(2)(h)
- For certain courses of study, placements and work opportunities individuals will be required to undertake a DBS check 6(1)(a), 6(1)(b), 6(1)(d), 9(2)(a), 9(2)(c), 9(2)(g).
- To produce management statistics/reports, to conduct research into its work, the effectiveness of University programmes of study as well as produce statistics for statutory purposes 6(1)(e), 9(2)(j).
- In order to provide overseas students with support and advice on a range of issues such as immigration, cultural issues and welfare 6(1)(b).
- For Higher Education Statistics Agency (HESA) purposes, the University is required to send information collected in respect of students to [HESA](#) statistical and analysis . 6(1)(e), 9(2)(j)
- To enable HESA (and/ or a third party under contract) to conduct the [Graduate Outcomes](#) Survey following graduation 6(1)(e).
- Following graduation, personal data is processed by the Alumni Relations Development Team within the University as all individuals graduating automatically become members of the University's Alumni Community. Full details on the use of personal data is available on the [Alumni webpages](#) 6(1)(f)
- To monitor engagement of students on Tier 4 Visas to ensure compliance with the terms of their sponsorship 6(1)(e).
- To monitor the University's responsibilities under equal opportunity policies 6(1)(e), 9(2)(g).
- To maximise an individual's opportunities to succeed through the use of learning analytics. The University records behaviour and interactions with the University's systems which are used as an indicator of engagement and progress. This information is analysed and used to help course teams identify students who may be

at risk of withdrawing from their study. It is also used to indicate to the University that a student's course engagement may have fallen below expectations, so that the lack of engagement process can be initiated.

Data provided at enrolment (such as educational attainment prior to study at USW, address, age), information on course progression and information on behaviour and interaction is kept for future analysis and research to aid our understanding of the student population and in learning analytics. Further information is available within the ['Learning Analytics Student Guide'](#) and the ['Student Engagement Monitoring Guide'](#) 6(1)(e) and 6(1)(f).

This processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. The University would also like to use information around ethnicity of the student population which would further enrich its datasets and enable the University to improve analysis based on a more individual level in the future. The University will only process this information with the individual's consent.

- To conduct surveys at various stages of the student lifecycle to gather feedback on the student experience in order that the University can review its provision 6(1)(f).
- To enable students to participate in Student Union activities and to access support services provided by the SU 6(1)(f).
- To film and record certain lectures. Please note that students are not the subject of these recordings but audio and video images may be captured 6(1)(b) 6(1)(e) 6(1)(f).
- The University provides students with a 'smart' photographic identification card. The card can be used to access certain rooms, for security as a means to identify who is permitted on campus, to access the library and to allow access to print services 6(1)(b).
- For electoral roll purposes. When students have agreed for their data to be shared with Local Authorities for automatic inclusion on the electoral register 6(1)(a).
- Upon graduation the names of those graduating are published in the award brochure. Where students do not wish for their names to be included they may inform the Exams, Certification & Graduation Unit of this when they receive their invitation 6(1)(b), 6(1)(e).
- To provide information relating to further learning opportunities at the University 6(1)(f).
- Personal data on certain courses may be provided to organisations providing access to specialist software/resources that will support and enable students to undertake their studies 6(1)(b).

* GDPR Article 6 legal basis

6(1)(a) The data subject has given consent to the processing.

6(1)(b) The processing is necessary for the performance of a contract.

6(1)(c) The processing is necessary for the compliance with a legal obligation.

6(1)(d) The processing is necessary to protect the vital interests of the data subject or of another person.

6(1)(e) The processing is necessary for the performance of a task carried out in the public interest.

6(1)(f) The processing is necessary for the purposes of the legitimate interests pursued

How does the University process Special Category Data?

The University will also process 'special category' personal data. Special category personal data is defined as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health - including mental health and disability information, or sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person.

Special category personal information will only be processed in certain situations in accordance with the law.

- With the individual's explicit consent – Article 9(2)(a), (e.g. Pastoral and welfare support, use of special category data within learning analytics).
- Where it is necessary to protect the individual's vital interests or those of another person and where they are physically or legally incapable of giving consent – Article 9(2)(c). This would be in an emergency situation where the health, wellbeing or welfare of the individual was at risk
- Where the data subject has made the information public – Article 9(2)(e).
- Where the processing is necessary for reasons of substantial public interest – Article 9(2)(g) (e.g. Pastoral and welfare support, to comply with the Prevent Duty, for equal opportunity monitoring,
- Where processing is necessary for archiving purposes in the public interest, scientific or historical research purpose or statistical purposes. – Article 9(2)(j) (e.g. University research and the production of management statistics)
- Where processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of

health or social care systems and services - Article 9(2)(h) (e.g. assessment of health for participation in a field trip).

Individuals on certain courses will be asked to provide details of criminal convictions and undertake a DBS check when they are offered a place on a course which leads to employment in a regulated profession and the course involves an integral work placement which could not be undertaken if the student had a criminal conviction.

Who receives this data?

Where necessary personal information will be shared internally within the faculties and departments across the University. Personal data is protected by the University and information will not be disclosed to third parties without consent, or, is permitted by law. This section outlines the major organisations and the most common circumstances in which we disclose data about students. Where this involves international transfer of your data, data will only be transferred if it meets the conditions set down under current data protection legislation.

- **After graduation** the University will need to maintain some records in order that it can verify awards, provide transcripts of marks, to provide academic references and for career support.
- The University will share personal data with the **Students' Union** in order to allow students to participate in the election of its officers and to become a member of the Union. Where appropriate personal data will be shared with the Students' Union for purposes relating to conduct/to support investigations.
- Following graduation, personal data is processed by the **Alumni Relations Development Team** within the University as all individuals graduating automatically become members of the University's Alumni Community. Full details on the use of personal data is available through the [Alumni webpages](#).
- The University is an Approved Education Provider for the purposes of the **Points-Based Immigration System**. The University will provide data about students on the Tier 4 Student Visa and other categories of visa to the Home Office and its departments in order to fulfil its duties as a Tier 4 Sponsor Licence holder.
- Sponsors and parents where the appropriate consent has been provided or another legal basis is identified.
- **HE/FE institutions & placement providers:** Where students are involved in study arrangements with other organisations, e.g. exchanges, placements, joint/double

programmes, we may disclose some data to the relevant institution, including those outside the European Economic Area (EEA).

- **Relevant Higher Education bodies** such as the Office for Students, UK Research and innovation, UCAS, the Office of the Independent Adjudicator and the NSS
- **The Student Loan Company:** Personal data will be shared to confirm enrolment, attendance and identity in order that students can access financial support.
- **Debt recovery / credit control:** Personal data may be shared with third parties, attempting to recover debt on behalf of the University, where internal debt recovery procedures have been unsuccessful.
- **Potential employers** or providers of education approached by the individual for references/confirmation of award.
- **UK agencies** with duties relating to the prevention and detection of crime, collection of a tax or duty (including Income or Council Tax) or safeguarding national security (when there is a basis to disclose).
- The University has a statutory obligation to release information to the **Higher Education Statistics Agency (HESA)** for statistical analysis. Full details on the uses of student data by HESA can be found at <http://www.hesa.ac.uk/fpn>.
- The University is required to pass data about its students to **the Higher Education Funding Council for Wales (HEFCW)** for them to conduct the National Student Survey. This provides students with the opportunity to give their feedback on their experiences at the University. Information will also be provided to HEFCW in line with our statutory responsibilities.
- Personal data relating to students on specific programmes will be passed to **professional bodies** which accredit those programmes at the University in connection with registration such as Law Society, General Chiropractic Council, Care Council for Wales. If there has been an incident of academic or professional misconduct and/or where the Head of School or equivalent believes there is a concern related to fitness to practise which may result in a risk to the public, this will also be reported to the appropriate professional body.
- Personal information may be shared with **work placement providers** including contact details, information around the individual's studies and other necessary information.
- In line with our statutory obligations personal data is shared with organisations such as the Higher Education Funding Council Wales and the [Education and Skills Funding Agency](#).

- Following graduation the University or **HESA** may contact individual students to ask them to complete one or more surveys into the outcomes of higher education and details of activities after graduation. These surveys may be undertaken by the University or by another specialist organisation contracted for that purpose. If a specialist organisation is used that organisation will receive the individual's contact details, but will only use these details to ask individuals to complete the survey, these details will then be deleted. Individuals may also be contacted as part of an audit to check that the University or any contracted organisation have undertaken these surveys properly (full details on the HESA collection notice are available [here](#))
- Coursework and assignments are submitted through **Turnitin® UK**, which supports academic staff in identifying any plagiarism, re-presentation and inappropriate citation. Where plagiarism is suspected, work and information may be shared internally and with other institutions as required.
- Data may be shared with **partner colleges** where the University has partnership arrangements in place for purposes relating to their studies and for administrative purposes.
- Data may be shared with partner institutions such as **QA HE** for administrative and support purposes.
- Personal information may be shared with organisations (including other education providers) with whom we work collaboratively and with other agencies (including the Welsh Government) where there is a requirement on the University to report on outcomes, progression or for equality monitoring purposes.
- Relevant information will be shared with third party providers of accommodation where arrangements are in place for the sharing of data in respect of certain matters such as those involving the contract, wellbeing or safeguarding.
- The University's internal online directory will include a name and email address for each student.
- In the event of an emergency or a serious concern for an individual's wellbeing or the safety of others the University may contact third parties such as next of kin or the emergency services.
- Companies or organisations providing specific services, to or on behalf of, the University under contract as a data processor.
- Any other disclosures that the University makes will be in accordance with data protection legislation and having taken into consideration the interests of individuals.

How long will data be held?

Information held on file will be kept in line with our [Records Retention Schedule](#).

Keeping information secure

Data Protection legislation requires the University to keep personal data secure. This means that confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of an individual's data will be authorised to do so. Information held in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

The processing of some data may be undertaken on the University's behalf by an organisation contracted for that purpose. Such organisations will be bound by an obligation to process data in accordance with the Act/Regulations.

Normally personal data that we collect from you will be stored within the UK or the European Economic Area ("the EEA"). However, in certain instances personal data will be collected by processors within a country or territory outside the UK or EEA. Where this occurs the University will ensure that the country is recognised by the European Commission as guaranteeing an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data or another appropriate safeguard is in place.

Individual rights

Individuals have the right to access personal information, to object to the processing of their personal data, to rectify, to erase, to restrict and to port personal information.

Any requests or objections should be made in writing to the Data Protection Officer – dataprotection@southwales.ac.uk

Where individuals are not satisfied with the University's response, or believe that the University is not processing personal data in accordance with the law then they may complain to the Data Protection Officer.

If the matter is not resolved and the individual remains dissatisfied then they have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

www.ico.org.uk